



Bk: 49563 Pg: 440 Doc: AFF
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AFFIDAVIT OF SCRIVENERS ERROR

I, Sherrill R. Gould, on oath, depose and state as follows:

1. I am a Massachusetts conveyancer licensed to practice law in the Commonwealth of Massachusetts.

2. I am a member of the Massachusetts Bar Association;

3. I am a member of the Massachusetts Conveyancers Association, and my practice concentrates in real estate conveyancing.

4. Reference is made to a Deed recorded with Middlesex South District Registry of Deeds in Book 39045, Page 340 regarding property located at 70 Newtown Road, Acton, Middlesex County, Massachusetts.

5. Through mistake and inadvertence, the reference to the previous Deed was stated as "Being the same premises conveyed to me by Deed recorded with Middlesex South District Registry of Deeds in Book 30283, Page 205".

6. The correct reference to the previous deed should have been "Being the same premises conveyed to me by Deed recorded with Middlesex South District Registry of Deeds in Book 33751, Page 80".

7. This Affidavit is being recorded to correct the erroneous Book and Page of the previous Deed.

WITNESS my hand and seal this 31st day of May, 2007.

Sherrill R. Gould
SHERRILL R. GOULD

COMMONWEALTH OF MASSACHUSETTS

REGISTRY OF DEEDS
SOUTHERN DISTRICT
ATTEST:

Eugene C. Brune
REGISTER

Middlesex, ss.

Date: 5/31/07

On this day, before me, the undersigned notary public, personally appeared SHERRILL R. GOULD proved to me through satisfactory evidence of identification which was a license, and personally known to me, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose.

Maureen E. Woods
Notary Public: Maureen E. Woods
My Commission Expires: 5/30/08

70 Newtown Road, Acton, MA

PROPERTY ADDRESS:

70 Newtown Road, Acton, Middlesex County, Massachusetts

QUITCLAIM DEED

WESTCHESTER COMPANY, INC., a Massachusetts Corporation with a principal place of business in Acton, Massachusetts

IN CONSIDERATION OF SIX HUNDRED NINETY THOUSAND AND 00/100 (\$690,000.00) DOLLARS

GRANT TO STEVEN W. KELLEY AND RACHEL K. KELLEY, HUSBAND AND WIFE, As Tenants by the Entirety

of 70 Newtown Road, Acton, Middlesex County, Massachusetts



Bk: 39045 Pg: 340

Recorded: 05/03/2003

Document: 00000527 Page: 1 of 1

with quitclaim covenants

A certain parcel of land in Acton, Middlesex County, Massachusetts, on the westerly side of Newtown Road formerly called Gravel Pit Road, about one half mile northwesterly of the Village of Acton Center, containing about four acres, and bounded and described as follows:

Beginning at the Southeasterly corner of the premises at said Newtown Road and the center of a brook of land formerly of James B. Tuttle; thence

Northwesterly on said road about six hundred and ninety-five (695) feet to the end of a wall at land of the heirs of Isaac Reed, thence

Southerly on a wall by said Reed land, about four hundred and fifty (450) feet to the end of a wall; thence in the same course on land formerly of James B. Tuttle, about two hundred and eighty (280) feet to the center of a brook; thence

Easterly on the brook by land formerly of James B. Tuttle about five hundred ten and (510) feet to the point of beginning.

This sale does not constitute all or substantially all of the assets of the corporation.

Being the same premises conveyed to me by Deed recorded in Middlesex South District Registry of Deeds in Book 30283, Page 205.

Executed as a sealed instrument this 24 day of April, 2003.

WESTCHESTER COMPANY, INC. BY
GARY L. WHITAKER, ITS PRESIDENT

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

April 24, 2003

Then personally appeared the above-named GARY L. WHITAKER, duly authorized, and acknowledged the foregoing to be the free act and deed of Westchester Company, Inc., before me,

Notary Public:
My Commission Expires: 12/10/04

05/05/03 8:56AM
000000 #0011
FEE \$3146.40
CAMBRIDGE
DEEDS REGISTRY
MIDDLE SOUTH
CANCELLED

QUITCLAIM DEED

I, FRANK TRICONE, of 5 Tanners Circle, Woburn, Middlesex County, Massachusetts for consideration paid of ONE HUNDRED & FIFTY AND NO/100 (\$150,000.00) DOLLARS

grant to WESTCHESTER COMPANY, INC., a Massachusetts corporation, of P. O. Box 672, Acton, Middlesex County, Massachusetts, with QUITCLAIM COVENANTS

A certain parcel of land in Acton on the Westerly side of Newtown Road formerly called Gravel Pit Road about one half mile Northwesterly of the Village of Acton Center containing about four acres and bounded and described as follows:

Beginning at the

SOUTHEASTERLY corner of the premises at said Newtown Road and the center of a brook at land formerly of James B. Tuttle; thence

NORTHWESTERLY on said road about six hundred and ninety five (695) feet to the end of a wall at land of the heirs of Isaac Reed; thence

SOUTHERLY on a wall by said Reed land about four hundred and fifty (450) feet to the end of the wall; thence in the same course on land formerly of James B. Tuttle about two hundred and eighty (280) feet to the center of a brook; thence

EASTERLY on the brook by land formerly of James B. Tuttle about five hundred and ten (510) feet to the point of beginning.

The premises are conveyed subject to an Order of Conditions issued by the Acton Conservation Commission DEP File No. 85-723 to be recorded herewith and which requires ~~that there shall be no future disturbance outside the proposed line of haybales as shown on the Notice of Intent Plan, dated September 7, 2000, revised June 27, 2001 and the Wildlife Habitat Enhancement Plan, dated June 27, 2001, both plans having been filed with the Acton Conservation Commission, which portion of the premises shall become a permanent restricted area (the "restricted area"). The driveway must remain as gravel where noted on said plans which restriction shall extend in perpetuity beyond the issuance of a Certificate of Compliance.~~ The restricted area is further described on a sketch plan showing the metes and bounds of such restricted area and which is on file with the Acton Conservation Commission. The Wildlife Enhancement Plan shall be maintained as described on said plan and the sketch plan setting forth the metes and bounds of the restricted area shall extend in perpetuity beyond the issuance of a Certificate of Compliance.

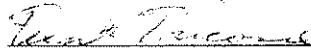
For my title see deed of Joseph Tricone to me dated August 14, 1972 and recorded with Middlesex South District Registry of Deeds, Book 12272, Page 706.

*Copy attached as Exhibit "A"

10/1/2001

64-76 Newtown Rd. Acton, MA

Witness my hand and seal this 28th day of September, 2001

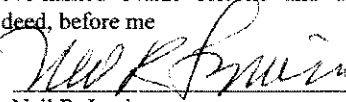

Frank Tricone

The Commonwealth of Massachusetts

Middlesex, ss

September 28, 2001

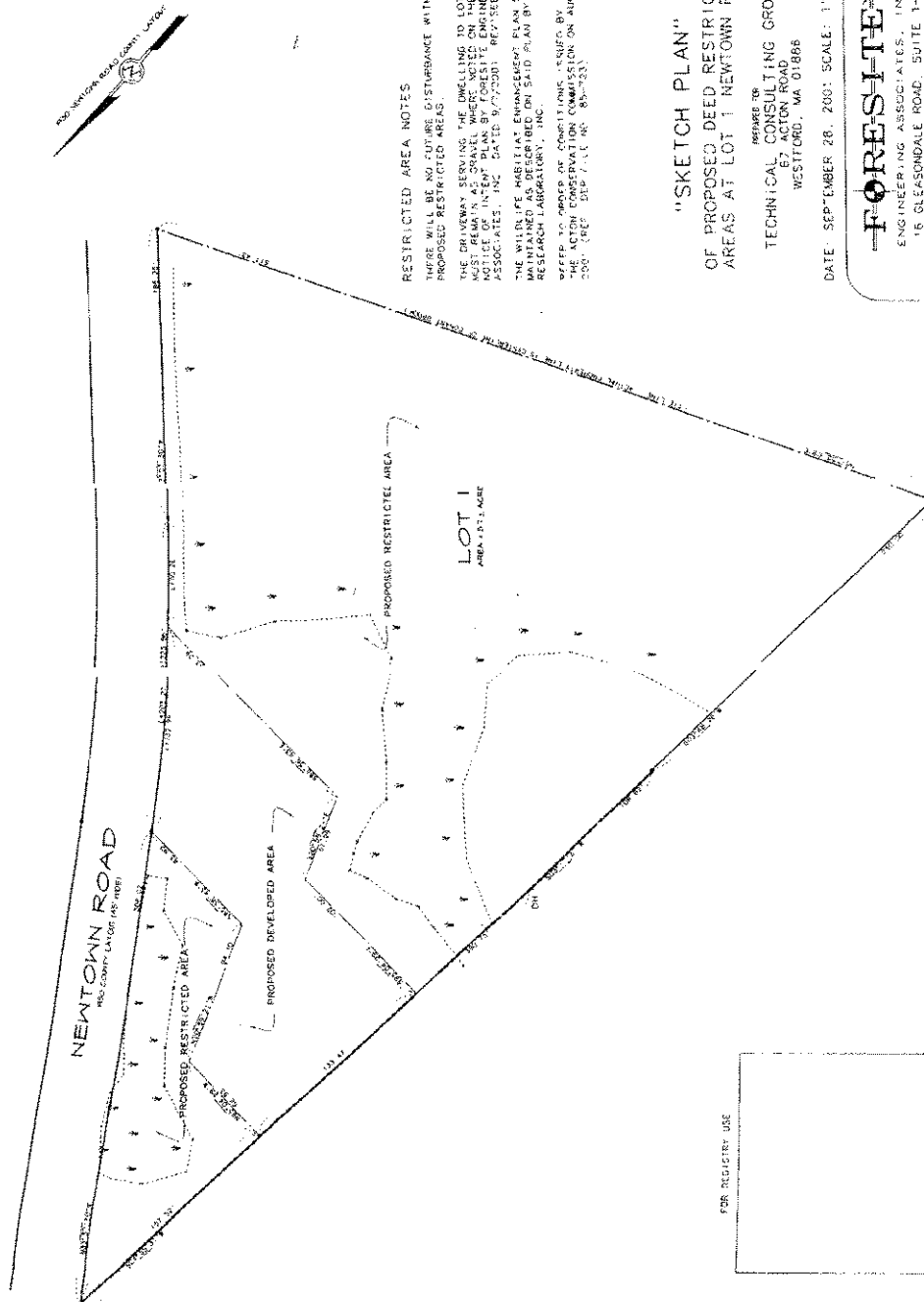
Then personally appeared the above-named Frank Tricone and acknowledged the foregoing instruments to be his free act and deed, before me


Neil R. Lapierre Notary Public
My Commission Expires: October 27, 2006

RECORDED
INDEXED
FEB 28 2002
CAMBRIDGE
MASS. DEEDS
RECORDING
MIDDLESEX COUNTY

CANCELLED

EXHIBIT A



"SKETCH PLAN"

OF PROPOSED DEED RESTRICTED
AREAS AT LOT 1 NEWTOWN ROAD

PREPARED FOR
TECHNICAL CONSULTING GROUP
67 ACORN ROAD
WESTFORD, MA 01886

DATE: SEP-EMBER 28, 200: SCALE: 1" = 40'

FORESITE
ENGINEERING ASSOCIATES, INC.
15 GLEASONDALE ROAD, SUITE 1-1
STOW, MASSACHUSETTS 01775